

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53952 of 2021**

Arising Out of PS. Case No.-132 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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BAIDYANATH SAHNI SON OF LATE KANHAI SAHNI RESIDENT OF
VILLAGE- SHAHPUR PITAUNJHIYA, P.S- HATHAURI, DIST-
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Ranjan, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 29-04-2022 The applicant/accused in Muzaffarpur Excise Case

No. 132 of 2021, P.R. No. 107 of 2021 registered for the offence

punishable under Section 30(A) of the Bihar Prohibition and

Amendment Excise Act, 2018, by this application is seeking his

release on bail during pendency of the trial.

Heard both sides.

According to the prosecution case, official of excise
department received secret information that the applicant and
co-accused Darvesh Sahni are openly selling illicit liquor.
House of Darvesh Sahni was raided and the applicant was
apprehended on the spot. From the house of Darvesh Sahni 45
litres of illicit liquor came to be seized.

The investigation of the subject crime is over. The



applicant is not having any criminal antecedents. Therefore, further pre-trial detention of the applicant is not warranted and hence the order:-

i. The application is allowed.

ii. The applicant/accused in Muzaffarpur Excise Case No. 132 of 2021, Muzaffarpur P.R. No. 107 of 2021 registered for the offence punishable under Section 30(A) of the Bihar Prohibition and Amendment Excise Act, 2018, be released on bail on executing P.R. bond of Rs. 10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in



commission of similar offence, the State is at liberty to apply for
cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections
forthwith and the Registry to issue the certified copy of this
order only after removal of office objections by the
applicant/accused.

(A. M. Badar, J)

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